

Supporting Statement for Ships Carrying Bulk Hazardous Liquids

A. Justification

1) Circumstances that make the collection of information necessary.

Many of the information and collection requirements in 46 CFR 153 are required by Annex II to the MARPOL Convention which is implemented in 46 CFR 153 under the authority of 33 USC 1903.

The remaining information collection and recordkeeping requirements are necessary to ensure that the requirements for the safe transport by vessel of bulk liquid hazardous materials mandated by 46 USC 3703 are met.

This information collection supports the following strategic goals:

Department of Homeland Security

- Prevention
- Recovery
- Response

Coast Guard

- Marine Safety
- Protection of the Natural Resources

Marine Safety, Security and Stewardship Directorate (CG-5)

- Safety: Eliminate deaths, injuries, and property damage associated with commercial maritime operations.
- Human and Natural Environment: Eliminate environmental damage associated with maritime transportation and operations on and around the nation's waterways.

2) By whom, how, and for what purpose the information is to be used.

The information is used by the Coast Guard to evaluate vessel design, to ensure compliance with the regulations and as a means to implement MARPOL Annex II. The information is used by vessel crewmembers in operations related to the cargoes and to avoid potential dangers presented by the cargo. Subject description and affected population for the collection of information are shown in Table 1.

Table 1
Collection of Information for Ships Carrying Bulk Hazardous Liquids:
CFR, Subject description, Affected Population, and Associated Supporting
Documents/Forms.

Item	CFR	Subject Description ¹	Estimated # of Affected Vessels ²
a.	46 CFR 153.9(c)	If required by the MSC, vessels applying for a COC may have to submit additional information. Frequency/Year = .04	1,062 Foreign
b.	46 CFR 153.483	A vessel owner may request a waiver to carry category B & C NLS between ports of one or more MARPOL countries without meeting the 481 & 482 stripping requirements. Frequency/Year = .02	1,062 Foreign 21 U.S.
c.	46 CFR 153.809	If an owner of a foreign vessel wishes to have the Coast Guard conduct a COC inspection, they must make a request to an Officer in Charge, Marine Inspection of the port where the vessel is to be inspected. Frequency/Year = .50	1,062 Foreign
d.	46 CFR 153.902	If a COC becomes invalid or expires, the vessel owner must submit a copy of the COC and IMO Certificate of fitness to the MSC to become valid again. Frequency/Year = .50	1,062 Foreign
e.	46 CFR 153.1119	A tank required to be prewashed may be prewashed in a port other than the loading port if (1) Coast Guard (CG-522) permission is granted; (2) there is a written agreement that the other port will accept the tank washing; (3) there is a written pledge from the person in charge. Frequency/Year = 0	1,062 Foreign 21 U.S.
f.		In addition to the above requirements there are several supporting documents/forms associated with this collection. These are— <ul style="list-style-type: none"> • International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk (form CG-5148) (per 153.12) • Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk (form CG-5148A) (per 153.12) • International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk (form CG-5148B) (per 153.12) • International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk (form CG-5461) (per 153.12) • Cargo Record Book (form CG-4620B) (per 153.490 & 909) 	21 U.S.

¹ Frequency/Year are estimates from the Coast Guard's Marine Safety Center (MSC).

² Affected vessels are estimated from the Coast Guard's Marine Information for Safety and Law Enforcement (MISLE) database (information used for estimation of these figures was downloaded May 5, 2011).

3) Consideration of the use of improved information technology.

Information is submitted in writing or electronically via e-mail. Information is submitted to the CG Officer in Charge, Marine Inspection (OCMI) at the local

Sector Office, or the CG Marine Safety Center (MSC). Contact info for CG OCMI's can be found at— <http://www.uscg.mil/top/units/>. For information on submitting information to the CG MSC, go to— <https://homeport.uscg.mil/msc> > Contact Us > Mail Address, Telephone Contacts, and E-Commerce Info. Electronic submission is voluntary, and we estimate that 90% of respondents submit their plans electronically for this collection.

4) Efforts to identify duplication. Why similar information cannot be used.

Each submission is unique. The Coast Guard does not know of any similar information being collected.

5) Methods to minimize the burden to small businesses if involved.

For reasons of safety, the carriage of hazardous materials must be in accordance with the type and degree of hazards they represent. The burden imposed on small businesses cannot be lessened relative to the burden on larger entities.

6) Consequences to the Federal program if collection were conducted less frequently.

The vessel safety laws would be extremely difficult and costly to enforce without these recordkeeping and reporting requirements. The pollution-related requirements are predominantly intended to ensure vessel crews have sufficient information to operate without violating MARPOL Annex II and to aid the Coast Guard in enforcing Annex II of MARPOL.

In many cases, the information on each vessel is collected on a case-to-case basis as needed. Less frequent collection would make enforcement mechanisms ineffective. In addition, for most cargoes covered by Part 153, much of the information collected is necessary to comply with the requirements of MARPOL Annex II. Less frequent collection would require repudiation of MARPOL Annex II and impair the ability of U.S. vessels to trade internationally.

7) Explain any special circumstances that would cause the information collection to be conducted in a manner inconsistent with guidelines.

This information collection is conducted in manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

8) Consultation.

A 60-day Notice was published in the *Federal Register* to obtain public comment on this collection (see [USCG-2011-0737]; August 22, 2011; 76 FR 52336). Additionally, a 30-day Notice was published in the *Federal Register* to obtain public comment on this collection (October 27 2011; 76 FR 66737). The Coast

Guard has not received any comments on this information collection.

9) Explain any decision to provide any payment or gift to respondents.

There is no offer of monetary or material value for this information collection.

10) Describe any assurance of confidentiality provided to respondents.

There are no assurances of confidentiality provided to the respondents for this information collection.

11) Additional justification for any questions of a sensitive nature.

There are no questions of sensitive language.

12) Estimates of reporting and recordkeeping hour and cost burdens of the collection of information.

The total hour burden to industry (respondents) is estimated to be 5,291 hours, and the total cost to industry (respondents) is estimated to be \$476,190 (See Table 2 below). The hourly labor wage rate of \$90 for industry personnel is used for the calculation of total annual burden.¹

¹ Total annual burden in dollars = (total annual burden in hours) x (the O-3 out government rate of \$90.00). This value is the standard hourly rate equivalent to O-3 Personnel (out of government) referenced in Commandant Instruction 7310.1L (dated February 28, 2011).

Table 2
Burden for Industry:
Application and Information Requests for
Ships Carrying Bulk Hazardous Liquids, 46 CFR 153

Item ²	46 CFR 153	Estimated # of Affected Vessels ³	Frequency/Year ⁴	Burden Hours/Response ⁵	Average # of Vessels Responding/Year ⁶	Total Annual Burden in Hours ⁷	Total Annual Burden in Dollars ⁸
a.	9(c)	1,062	0.04	8	42	336	\$30,240
b.	483	1,083	0.02	8	22	176	\$15,840
c.	809	1,062	0.50	1	531	531	\$47,790
d.	902	1,062	0.50	8	531	4,248	\$382,320
e.	1119	1,083	0.00	1	0	0	\$0
Total Reporting*:					1,126	5,291	\$476,190

*Totals may not sum due to rounding.

For this report, data from the MISLE was used to find the number of active U.S. and foreign vessels, which are regulated under 46 CFR 153. A total of 21 U.S. and 1,062 foreign-flag vessels were found; consequently, the 1,062 foreign-flag vessels trade in the U.S. and have a Certificate of Compliance.

Equipment and other costs are considered to be negligible. Many of the costs to industry will be incurred even if there are no Coast Guard requirements. Those costs include the requirements of MARPOL Annex II for those vessels trading internationally.

13) Estimates of annualized capital and start-up costs.

There are no capital, start-up or maintenance costs associated with this information collection.

14) Estimates of annualized Federal Government costs.

² Item f (from the previously filed Supplemental Statement for 2009) from table 1 was not calculated as the burden imposed by those items are covered under other Collection of Informations.

³ Affected vessels are estimated from the MISLE database, The data from the MISLE database was pulled on May 5, 2011.

⁴ Frequency and burden hours per response are estimates from the Coast Guard's MSC.

⁵ Frequency and burden hours per response are estimates from the Coast Guard's MSC.

⁶ Average # of vessels responding per year = (frequency per year) x (estimated # of affected vessels). Number is rounded to nearest whole figure.

⁷ Total annual burden hours = (average # of vessels responding per year) x (burden hours per response). Number is rounded to nearest whole figure.

⁸ Total annual burden in dollars = (total annual burden in hours) x (the O-3 out government rate of \$90.00).

The annualized total hour burden to the Federal Government is estimated to be 575 hours, and the total cost to government is estimated to be \$41,400 (See Table 3 below), which comes from the evaluation necessary to determine if a vessel meets 46 CFR 153. The hourly labor wage rate of \$72 for government personnel is used for the calculation of total annual burden.⁹

Table 3
Burden for Government:
Application and Information Requests for
Ships Carrying Bulk Hazardous Liquids, 46 CFR 153

Item ¹⁰	46 CFR 153	Estimated # of Affected Vessels ¹¹	Frequency/Year ¹²	Burden Hours/Response ¹³	Average # of Vessels Responding/Year ¹⁴	Total Annual Burden in Hours ¹⁵	Total Annual Burden in Dollars ¹⁶
a.	9(c)	1,062	0.04	0	42	0	\$0
b.	483	1,083	0.02	2	22	44	\$3,168
c.	809	1,062	0.5	0	531	0	\$0
d.	902	1062	0.5	1	531	531	\$38,232
e.	1119	1,083	0	1	0	0	\$0
Total Reporting*:					1,126	575	\$41,400

*Totals may not sum due to rounding.

15) Explain the reasons for the change in burden.

The change in burden hours is an ADJUSTMENT due to an increase in the estimated vessel population. There is no proposed change to the reporting or recordkeeping requirements of this collection. The reporting and recordkeeping requirements and the methodology for calculating burden remain unchanged.

16) For collections of information whose results are planned to be published for statistical use - outline plans for tabulation, statistical analysis and publication.

This information collection will not be published for statistical purposes.

⁹ This value is the standard hourly rate for O-3 Personnel (in government rate) referenced in Commandant Instruction 7310.1M.

¹⁰ Item f (from the previously filed Supplemental Statement for 2009) from table 1 was not calculated as the burden imposed by those items are covered under other Collection of Informations.

¹¹ Affected vessels are estimated from the MISLE database, The data from the MISLE database was pulled on May 5, 2011.

¹² Frequency and burden hours per response are estimates from the Coast Guard's MSC.

¹³ Frequency and burden hours per response are estimates from the Coast Guard's MSC.

¹⁴ Average # of vessels responding per year = (frequency per year) x (estimated # of affected vessels). Number is rounded to nearest whole figure.

¹⁵ Total annual burden hours = (average # of vessels responding per year) x (burden hours per response). Number is rounded to nearest whole figure.

¹⁶ Total annual burden in dollars = (total annual burden in hours) x (the O-3 in government rate of \$72.00).

- 17) Explain the reasons for seeking not to display the expiration date for OMB approval of the information of collection.

The certificates associated with this collection are prescribed by an international treaty (MARPOL or SOLAS) that the U.S. Government is signatory to. These certificates all have specific five year expiration dates related to requirements set out in the treaty. The addition of a second expiration date to these certificates—that for OMB approval—may cause several problems. First, it may cause U.S.-flag vessel owner/operators to interact with the Coast Guard more frequently than required to reconcile the existence of 2 expirations dates on their ships' certificates. Second, it may cause confusion with foreign Port State Control boarding officers, resulting in U.S.-flag ships being delayed or detained in foreign ports due to 2 differing expiration dates. It is for these reasons that expiration dates for OMB approval are not displayed on the certificates associated with this collection. However, the OMB expiration date is displayed on the Instruction sheet related to the information collection request.

- 18) Explain each exception to the certification statement.

The Coast Guard does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods.

This information collection does not employ statistical methods.